

**Notice of Allowability****Application No.**

10/708,597

**Applicant(s)**

BARNES ET AL.

**Examiner**

Uyen-Chau N. Le

**Art Unit**

2887

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 07/17/2008.
2. ☒ The allowed claim(s) is/are 27,29,30,33,35,36 and 42-45.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.  
**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 07/31/2008
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 20080929.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

**EXAMINER'S AMENDMENT**

***Requesting Continued Examination (RCE)***

1. Receipt is acknowledged of the Requesting Continued Examination (RCE) field 07/17/2008.
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Jonathan Berschadsky on 29 September 2008 in order to place the instant application in the proper form for an allowance (i.e., to have proper support) by cancelling claims 39-41.

The application has been amended as follows:

Re claims 39-41: Please cancel claim 39-41 without prejudice and/or disclaimer of the subject matter therein

***Allowable Subject Matter***

3. Claims 27, 29-30, 33, 35-36 and 42-45 allowed.
4. The following is an examiner's statement of reasons for allowance:

The prior art of records to Michot, Dwyer et al, and all other cited references, taken alone or in combination, fails to teach or fairly suggest the specific structure or the method for facilitating performance tracking comprising, among other things, the combination features of a user interface operable to allow a user to create a project task, associated with a resource, the project task having a predetermined completion time; a transponder, associated with the resource, operable to communicate a transponder identifier to a radio frequency identification (RFID) reader via a radio frequency signal; a resource engine operable to: assign the project task to an application assigned to at least one application category, the at least one application category associated with a level of skill to perform the project task; receive the transponder identifier communicated by the reader, the resource engine further operable to associate the transponder identifier with a first time value and a resource identifier corresponding to the resource, associate the transponder identifier with a second time value and the resource identifier corresponding to the resource, compute a task work time representing a time period that the resource was in a work environment, based at least on the first time value and the second time value, associate the resource identifier and the task work time with the project task, and compare the predetermined completion time with the task work time as set forth in the claimed combinations.

Lane (US 20030130820 A1 - cited by the Applicant) discloses a system and method for tracking a working order comprising creating a project task (e.g., a working order), associated with a resource, using a user interface, the project task having a predetermined completion time; assigning the project task/working order to an

application assigned to at least one application category, the at least one application category associated with a level of skill to perform the project task (e.g., a technician) wherein the technician has to input starting time and competing time manually via the PDA. Lane is silent with respect to utilizing a transponder/RFID.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uyen-Chau N. Le whose telephone number is 571-272-2397. The examiner can normally be reached on maxi-flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven S. Paik can be reached on 571-272-2404. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Uyen-Chau N. Le/  
Primary Examiner, Art Unit 2887